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United States Senate

COMMITTEE ON FINANCE

WASHINGTON, DC 20510-6200

March 20, 2023

VIA ELECTRONIC TRANSMISSION

Dr. Maureen McBride
Interim Chief Executive Officer
United Network for Organ Sharing
700 N 4th Street
Richmond, Virginia 23219

Dear Dr. McBride,

Last month the Senate Finance Committee learned that the technology underpinning the organ donation system in the United States, which is managed by the United Network for Organ Sharing (UNOS), experienced a system outage on February 15, 2023. During this outage, lifesaving organs could not be matched via DonorNet with transplant recipients, leaving patients' lives at risk.

As you are aware, UNOS is the sole operator of the DonorNet system, which maintains the waitlist for all organ transplant candidates in the United States. This means that any interruption in service—such as a ransomware attack, technical failure, or any inefficiency resulting in unnecessary delays—has the potential to cause lethal harm to patients across the country. The waiting list's patient population includes individuals on Medicare and Medicaid, particularly those suffering from kidney failure and receiving high-cost dialysis treatments.

Unfortunately, this is not the first time we have raised concerns with UNOS' DonorNet technology. On January 31, 2022, we wrote to your organization expressing concerns and asking then CEO Brian Shepard to, "[t]ake immediate action to modernize the national Organ Procurement and Transplantation Network (OPTN) information technology system and secure it from cyber-attacks."¹ On February 11, 2022, we also wrote to the White House Chief

¹ Document on file with the Senate Committee on Finance

Information Officer voicing our concerns about the cybersecurity and technology used by UNOS as the nation's Organ Procurement and Transplantation Network (OPTN) contractor.²

Moreover, in January 2021, the United States Digital Service (USDS) completed a review of UNOS's technology, with a report entitled, "Lives Are At Stake." That report found that UNOS's technology uptime was 99.97% since 1999. This measure, which is below industry standards, equated to a total of 17 days of system downtime since 1999. The report notes that, "this is an unacceptable answer for the life-saving nature of a system like this. The 24/7 critical nature of this system means that zero downtime for user and business operations should be the goal."³ As of the Finance Committee's August 3, 2022 hearing on the topic, UNOS has failed to maintain zero downtime as recommended in the USDS report.⁴

Given our continued concern with the security of UNOS's critical technology, we request written responses, no later than March 31 2023, with respect to: (1) details of the system outage, (2) how information related to the system outage was communicated to the federal government and to the public, and (3) what steps UNOS has put in place to mitigate future risk, including measures to ensure public reporting of technological failures. After receiving your written responses, we request a briefing with you to discuss your responses.

Sincerely,



Ron Wyden
Chairman
Senate Finance



Charles E. Grassley
Member
Senate Finance

² Joseph Menn and Lenny Bernstein, "Thousands of lives depend on a transplant network in need of 'vast restructuring'," *The Washington Post*, August 3, 2022. <https://www.washingtonpost.com/health/2022/07/31/unos-transplants-kidneys-hearts-technology/>.

³ Document on file with the Senate Committee on Finance; *see also* Joseph Menn and Lenny Bernstein, "Thousands of lives depend on a transplant network in need of 'vast restructuring'," *The Washington Post*, August 3, 2022. <https://www.washingtonpost.com/health/2022/07/31/unos-transplants-kidneys-hearts-technology/>.

⁴ Document on file with the Senate Committee on Finance